

**Board of Selectmen's Meeting Minutes**  
**June 14, 2007**  
**Harpswell Town Office**  
Approved on June 28, 2007

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**Selectmen Present:** Amy N. Haible, James S. Henderson and Chairman Samuel W. Alexander

**Staff Present:** Kristi K. Eiane, Town Administrator; William Wells, Code Enforcement Officer; and Marguerite Kelly, Town Treasurer

**Call to Order and Pledge of Allegiance:** The meeting was called to order by Chairman Alexander at 6:30 p.m. with the Pledge of Allegiance. The meeting was videotaped and broadcast live on Harpswell Community Television.

**1. Adoption of the Agenda:** Chairman Alexander moved, seconded by Selectman Haible to add item 5a: Exploratory Work To Be Performed at Mitchell Field to the agenda; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Henderson to adopt the agenda as amended; motion passed 3-0.

**2. Town Administrator's Report:** Administrator Eiane announced that Harpswell had a strong voter turnout for the June 12 referendum at 30% versus the statewide average of 15-20% and Brunswick at 9%. Administrator Eiane thanked the Town Clerk's Office and everyone that worked at the polls for their hard work. Administrator Eiane reported that she has been invited to serve as a panelist at Peoples Plus to help broaden awareness of the Meals on Wheels program that provides certain nutritional meals to individuals. Administrator Eiane stated that she will attend a meeting with the Midcoast Economic Strategy Committee meeting with the purpose of updating the plan for the Midcoast Economic Development District, including Harpswell, Brunswick, Topsham, Bath and other Sagadahoc and Lincoln County towns. Being a member of this district will allow Harpswell to apply for federal economic funds.

**3. Selectmen's Announcements:** Chairman Alexander announced the Board of Selectmen and Town Administrator met with the Town Attorney this afternoon in executive session to begin the framework for negotiations and to discuss the formation of a team to negotiate a lease agreement with Washburn and Doughty as authorized by voters on Tuesday. Chairman Alexander asked for anyone interested who may have qualifications to help with negotiations to submit a letter of interest and their qualifications by the close of business next Wednesday (20<sup>th</sup>). Chairman Alexander explained the Board may select 3 or 4 individuals to work with the Board throughout the negotiations.

**4. Old Business:** There was no old business discussed.

**5. Mitchell Field Update:** Selectman Haible encouraged the public to attend the next meeting which is scheduled for Tuesday, June 26 at 6:30 at Harpswell Islands School. The meeting will focus on people's ideas for Mitchell field. Selectman Haible reported that the previous meeting had a lot of useful information, great questions and answers between the public and the panel that was comprised of engineers, DEP personnel, staff from Wright and Pierce. Selectman Haible reported that Mitchell Field Committee members spoke with 130 children at Harpswell Islands School regarding their ideas which included many park and recreational uses.

**5a. Exploratory Work To Be Performed at Mitchell Field:** Chairman Alexander explained that Bruce Doughty has expressed an interest to perform minor exploratory work at Mitchell Field. Chairman Alexander moved, seconded by Selectman Henderson to authorize Washburn & Doughty to have exploratory work performed at Mitchell Field that does not require any permitting approval, and that the Town Administrator may sign such an agreement on behalf of the Town; motion passed 3-0.

**6. Road Commissioner's Report:** Bob Venard, Road Commissioner, reported that he maintains a log of maintenance requests from the public and that is working on resolving each issue. Mr. Venard explained that

the capital road project (Merritt Road, Dingley Island Road, Holbrook Street, Prosser Road and a portion of Sailor's Way) is 99% complete and that Harry Crooker & Sons will submit an invoice that the Road Commissioner and Randy Tome, engineer with Woodard & Curran, will review, including inspecting the work, prior to payment. Commissioner Venard reported that there is an erosion issue at the end of Ocean Street that he is obtaining quotes to repair. Commissioner Venard explained that for this past winter season, the contractors were encouraged to use less salt in an attempt to protect wells. The contractors were given the discretion to use their judgment to balance the use of salt and road safety and approximately 1000 tons of salt were used. Commissioner Venard stated that there many mailboxes damaged this season and that Crooker has taken responsibility to repair or replace each one. Commissioner Venard reported that he and the Town Administrator met with FEMA regarding the storm reimbursement and that he is working with Webbers to obtain more specific information.

**7. Treasurer's Report:** Marguerite Kelly, Town Treasurer, reviewed her monthly report for May (attached as further reference).

**8. Report from Ed Laine, Bowdoin College, Regarding Algae Blooms:** Professor Laine explained that he is part of a team that installed a buoy in Harpswell Sound in December 2006 to monitor harmful algae blooms. The buoy reports the weather conditions, water temperatures and water currents. Professor Laine explained the buoy can be viewed on the website: [www.gomoos.org/data/gomoos/buoy/html/D02.html](http://www.gomoos.org/data/gomoos/buoy/html/D02.html) and he can be contacted directly at 725-3621. Professor Laine's two page summary of the buoy is attached as further reference and is also posted on the Town's website.

**9. Amendment to Wharf Application for Gregory Merrill, Map 7, Lot 29, 201 Neil's Point Road:** William Wells, Code Enforcement Officer, explained the original application was approved by the Board on March 1 and a permit was issued. After that, the Army Corps of Engineer discovered a previously unknown band of eel grass and required the proposal to be altered which it was and then consequently approved. Ben Wallace, representative of owner, explained this revision adds 15 feet to the proposal to get beyond the eel grass. Selectman Haible asked for Mr. Wallace's opinion regarding the Town considering being the last permitting authority on wharves. Mr. Wallace stated that many other agencies prefer to see that the Town has approved the application before they review it. The Board had a discussion with Ben Wallace regarding how the wharf approval process is changing and where it is going. Chairman Alexander moved, seconded by Selectman Henderson to approve the amendment by Gregory Merrill as it doesn't interfere with navigable water or interfere with the public's right to the intertidal zone; motion passed 3-0.

**10. Harpswell Neck Scouting Association Request for Use of Mitchell Field:** Administrator Eiane explained the Town received an application from the Harpswell Neck Scouting Association on May 10 to hold a beanhole supper on July 14. Administrator Eiane stated there is only one outstanding issue regarding whether the Association will bring in more portable bathrooms than the one the Town supplies at the entrance to Mitchell Field. Chairman Alexander stated that, in his opinion, based on the use of Mitchell Field, the Town should supply another portable bathroom near the water. Chairman Alexander moved, seconded by Selectman Haible to approve the application for the Harpswell Neck Scouting Association for use of Mitchell Field on July 14 for a beanhole supper and to waive the provisions of the Group Use Policy requiring payment of an advance deposit fee and a per person attendance fee and to allow the use of motorized vehicles to the site and that the Town provide a portable bathroom for seasonal use at the western end of Mitchell Field; motion passed 3-0.

**11. Emergency Services Study Request for Proposals:** Administrator Eiane explained that at the March Town Meeting, \$15,000 was approved to undertake an analysis of our emergency vehicle and operational needs for the Town and what is necessary to allow us to continue offering emergency services for Harpswell. A professional consultant is sought and Administrator Eiane has worked closely with Charlie Johnson and David

Mercier, both representing the fire departments to prepare this document. Administrator Eiane explained that a Committee will be formed to work with the consultants comprised of representatives from the Fire Departments and staff. In addition to the \$15,000 approved by Town meeting, the Town has another \$25,000 available due to a Maine Municipal Bond Bank grant. Administrator Eiane suggested the Board vote to send this document to consultants, with the change that the deadline for completion be December 21, 2007 to allow the Budget Advisory Committee time to review the results. Administrator Eiane explained that the Fire Departments submitted a Town-wide capital vehicle plan and the Town is seeking assistance to determine what is necessary. Chairman Alexander stated he is looking for long term recommendations like whether there should be one centralized fire department or multiple departments. Selectman Haible moved, seconded by Selectman Henderson to accept the RFP and request the Town Administrator to release it; motion passed 3-0.

## 12. Committees

- **Assignments:** Selectman Haible moved, seconded by Chairman Alexander to appoint Hope Hilton to the Affordable Housing Committee; motion passed 3-0. Selectman Haible moved, seconded by Chairman Alexander to appoint Jim Hays as an Associate to the Mitchell Field Committee; motion passed 3-0. Selectman Haible moved, seconded by Chairman Alexander to appoint Rick Daniels to the Pipeline Easement Advisory Committee; motion passed 3-0. Selectman Henderson moved, seconded by Chairman Alexander to appoint Kate McGowen to the Library Committee; motion passed 3-0.
- **Mission Statements:** The Board of Selectman reaffirmed the Recreation Committee mission statement from December 2006.

**13. Consider Middle Bay Renewal License for Malt, Spirituous, Vinous:** Administrator Eiane reported the Town has not received any reports of disorderly conduct from the Sheriff's Department, nothing adverse appeared in the background check of the owners and the Codes Office has stated there are no known outstanding code violations. Chairman Alexander moved, seconded by Selectman Haible to approve the Jeffrey and Elizabeth Hurd application for Middle Bay Lobster for a renewal restaurant liquor license for malt, spirituous and vinous; motion passed 3-0.

**14. Orr's Island Lease Agreement Matters:** Administrator Eiane reviewed that in April, the Board voted to send lease agreements to those that had historically held leases. All leases have been sent with the exception of one where the Board wanted evidence of inheritance rights first. Staff is looking for further guidance from the Board on some issues regarding the leases. Administrator Eiane explained the provisions being suggested: 1. everyone who is sent a lease agreement should be current on their taxes for the wharf property; 2. a 75-day timeframe is suggested by which the lessees must return the signed lease, fee and insurance; and 3. if the 75-day time is not complied with, then the person's property must be removed from the site. Administrator Eiane informed the Board that Tracey Thibault, Code Enforcement Officer, will work with one lessee to resolve minor erosion problems. Selectman Haible moved, seconded by Selectman Henderson to adopt the proposed amended policy as presented in memo by Administrator Eiane (attached as further reference); motion passed 2-0. Chairman Alexander declined to vote. The Board asked staff to seek Right-of-Way Discover Grant funding to research ownership of the property at the Orr's Island Bridge.

**15. Consider Two New Road Names:** Selectman Haible moved, seconded by Chairman Alexander to adopt Little Dipper Lane as the road name choice for Map 35, lots 79, 81, 83 and 85; motion passed 3-0. Selectman Haible moved, seconded by Chairman Alexander to approve Waters Edge Lane for Map 21, lot 45; motion passed 3-0.

**16. Reschedule Non-Resident Property Taxpayer Meeting:** Chairman Alexander moved, seconded by Selectman Haible to reschedule the non-resident taxpayer meeting for Friday, June 29 at 3:30 pm at Harpswell Island School; motion passed 3-0.

**17. Bowdoin Day Camp Agreement:** Administrator Eiane explained this agreement has been reviewed by the Town's attorney and is for the Town's recreational swim program from June 18 to June 29 which is held at the Bowdoin College pool. Selectman Haible moved, seconded by Chairman Alexander to approve this agreement and authorize the Town Administrator to sign on behalf of the Town; motion passed 3-0.

**18. Authorize Subdivision Performance Guarantee:** Administrator Eiane informed the Board that a subdivision applicant has four options available to demonstrate financial capacity to the Planning Board. One option is to provide an irrevocable letter of credit from a financial institution acceptable to the Selectmen. Administrator Eiane recommended the Board deem acceptable any financial institution that is ranked average, excellent or superior by IDC Financial Publishing, Inc., that rates banks based on capital risk, asset quality, margins, earning returns and liquidity. Chairman Alexander moved, seconded by Selectman Henderson that the Harpswell Board of Selectmen find acceptable any financial institution rated average, excellent or superior by IDC Financial Publishing, Inc. in its most recent quarterly report available to the Town and to approve Mr. Talbot's letter of credit from TD Banknorth; motion passed 3-0.

**19. Authorization of the Warrant:** Kristi Eiane, Town Administrator recommended approval of Warrant 30 and Payroll Warrants 26 and 27. Selectman Haible moved, seconded by Chairman Alexander to approve Warrant 30 for \$661,760.68; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to approve Payroll Warrants 26 and 27 in the amounts of \$14,123.00 and \$110.00 respectively; motion passed 3-0.

**20. Approval of the Minutes:** Selectman Haible moved, seconded by Selectman Henderson to approve the minutes of May 31 as printed; motion passed 3-0.

**21. Public Comment:** Andy Paulhus, member of the Communications Advisory Committee, spoke against the State's action of moving \$3.7 million dollars from the special revenue fund of the Public Utility Commission account to the State's general fund. In his opinion, this action is unacceptable as the 911 surcharge should be used for the dedicated use for emergency communications.

**22. Adjournment:** Chairman Alexander moved to adjourn. The meeting was adjourned by unanimous vote at 8:43 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments:      Treasurer's Report,  
                            Bowdoin Buoy Facility Sheet  
                            Amended Orr's Island Bridge Lease Policy